

REMARKS

Claims 1 and 3 - 35 are currently in this case.

In the outstanding non-final Office Action the Examiner: rejected claims 1, 3, 5 – 7, 9, 10, 21 – 28, 30, 32, 33, 35 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 7,031,252 to Hosler (hereinafter referred to as “Hosler”); and, rejected claims 4, 8, and 11 – 20 under 35 U.S.C. 103(a) as being unpatentable over Hosler in view of U.S. Patent No. 6,829,237 to Carson (hereinafter referred to as “Carson”). No detailed rejection or indication of allowability was provided for claims 29, 31, and 34.

By this Response, applicants respectfully traverse the Examiner’s rejections. Clarification of the grounds for rejection, or alternatively, reconsideration and withdrawal of the rejections, are respectfully requested.

For a reference to anticipate an invention, all of the elements of that invention must be present in the reference. The test for anticipation under section 102 is whether each and every element as set forth in the claim is found, either expressly or inherently, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); MPEP §2131. The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989); MPEP §2131. Further, to establish a *prima facie* case of obviousness, the Examiner must establish *inter alia* that the prior art references teach or suggest all of the claim limitations. *Amgen, Inc. v. Chugai Pharm.*

Co., 18 USPQ2d 1016, 1023 (Fed. Cir. 1991); *In re Fine*, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988); *In re Wilson*, 165 USPQ 494, 496 (CCPA 1970).

Applicants submit that the Examiner has failed to show where each and every feature of the presently claimed invention is purportedly disclosed, taught or suggested in the cited prior art.

As recited in the present specification, the present application is “directed to a system and method which involves **partitioning the router line card** to separate the packet forwarding functions from physical port interfacing. For each line card that has a set of packet forwarding functions, at least one redundant port interface is provided.” (See paragraph 1, “Summary of the Invention”; emphases added). Independent claims 1 and 5 of the present application teach **router systems** having one “**line card**” connected in parallel to a pair of “**facility interface circuit cards**” (emphases added).

In formulating the above rejections, the Examiner has equated Hosler’s router interface cards 214, 216, 218, and 220 with the claimed facility interface circuit cards, and Hosler’s SONET/SDH add drop multiplexers 210 and 212 with the claimed line cards. As understood, the Examiner’s formulation, and the corresponding rejections, are traversed.

The SONET/SDH multiplexer is clearly shown in figures 2 and 3 of Hosler as being not integral to any router, but rather as “coupled to at least one router via a SONET/SDH fiber optic line” (Hosler, col. 5, lines 40 – 42). The Examiner has provided no arguments why such a SONET/SDH multiplexer may be equated with the presently claimed line card, which is clearly shown in figure 1 of the present application as **a part of** router 10 (elements 13-0 – 13-4; see also

the present specification, Detailed Description, paragraph 1 and 2). Applicants further draw the Examiner's attention to Figure 2, in which add/drop and multiplexing services are performed within the router by processing modules 201 and 202 within **facility module 11-0W**, and are not shown as being performed within any **line card**.

Accordingly, as the Examiner has not shown where Hosler discloses, teaches, or suggests a **line card** connected in parallel with a pair of facility interface circuit cards, as recited in independent claims 1 and 5, Hosler does not anticipate the present invention as recited in those claims, or in claims 3, 6, 7, 9, 10, 21 – 28, 30, 32, 33, and 35 dependent therefrom

Further, the combination of Hosler and Carson does not render the presently claimed invention obvious, as Carson too does not show a **line card** connected in parallel with a pair of facility interface circuit cards, as recited in independent claims 1 and 5. Accordingly, the Examiner has failed to make a prima facie case of obviousness with respect to claims 4, 8, and 11 – 20 dependent therefrom.

Applicants note that no detailed rejection of claims 29, 31, or 34 was provided by the Examiner. Applicants request that the Examiner indicate any allowability of these claims in a new non-final Office Action.

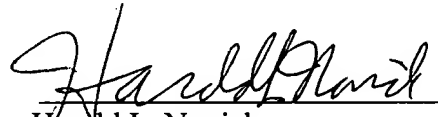
In addition, it is noted that the effective date of the Hosler reference is only about seven months prior to the Applicants' filing date. Therefore, if appropriate, Applicants reserve the right to later file a declaration under 37 CFR 1.131 antedating the Hosler reference.

CONCLUSION

It is the continued position of the applicants that all claims currently in this case are in condition for allowance, and such action is respectfully requested. Should the Examiner not consider that all claims are now in condition for allowance or have any questions or other changes necessary to advance the prosecution of this case, he is requested to telephone the undersigned.

Respectfully submitted,

By:



Harold L. Novick

Registration No. 26,011

Matthew J. Moffa

Registration No. 58,860

Date: May 29, 2007
NATH & ASSOCIATES PLLC
112 South West Street
Alexandria, VA 22314
Tel. 703-548-6284
Fax. 703-683-8396
Email: hnovick@novick.com

HLN/mjm